Wednesday, September 2, 2026 at 4:58:13 PM Eastern Daylight Time

Subject: FW: Public Records Request — Wilmington Police Department Unmanned Aircraft System (Drone) Program - 2026-602 MARK WILLIAMS (RICE FAMILY LAW)
Date: Wednesday, September 2, 2026 at 9:54:51 AM Eastern Daylight Time
From: Penny Spicer-Sidbury
To: Mark Williams
CC: Penny Spicer-Sidbury
Attachments: image001.jpg, image002.jpg, COA2024.pdf, Policy Manual .09.12 - Unmanned Air Support Operations.docx, Registrations.xlsx, SOP .04.13 - SABLE-UAS.doc

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In response to your records request, please see the attached documents regarding the Drone Program provided by WPD.

Thanks

Penny Spicer-Sidbury
City Clerk

From: Mark Williams <mwilliams@ricefamilylaw.com>
Sent: Thursday, August 27, 2026 9:52 PM
To: Penny Spicer-Sidbury <Penny.Spicer-Sidbury@wilmingtonnc.gov>
Cc: Meredith Everhart <Meredith.Everhart@wilmingtonnc.gov>; Penny Spicer-Sidbury <Penny.Spicer-Sidbury@wilmingtonnc.gov>; Daniel J. Thurston <Daniel.Thurston@wilmingtonnc.gov>; Ryan Zuidema <Ryan.Zuidema@wilmingtonnc.gov>; Ronald Evans <Ronald.Evans@wilmingtonnc.gov>
Subject: Re: Public Records Request — Wilmington Police Department Unmanned Aircraft System (Drone) Program - 2026-602 MARK WILLIAMS (RICE FAMILY LAW)

Ms. Spicer-Sidbury,

I'm following up on two public-records requests to the City of Wilmington and the Wilmington Police Department:

- **#2026-553 (filed July 1, 2026)** — records concerning WPD's **Fusus / real-time crime center ("STING Center")** program: vendor contracts, the governing policy or directive, the list of integrated and registered cameras, data-sharing and access arrangements, retention settings, and related communications; and
- **#2026-602 (filed July 3, 2026)** — records concerning WPD's **drone / unmanned-aircraft (UAS)** program: contracts, policy, flight/usage logs, retention, and vendor communications.

Your office acknowledged both on August 6 and indicated a status update would follow. Since then I have received no substantive response or production on either, and the August 14 date I noted has passed. It has now been roughly **eight weeks.**

I want to resolve this cooperatively, so let me put it in context. Across North Carolina, agency after agency has produced comparable ALPR and surveillance records on request — several within days — and the City itself has produced records to me before, including WPD Directive .07.17 on Fusus operations. These two requests are of a piece with those, and I am glad to take **rolling production** and to accept **native CSV/Excel** for any log or audit data. If any responsive record is exempt, I ask only for the specific statutory basis and the segregable remainder under N.C. Gen. Stat. § 132-6(c).

North Carolina requires public records to be furnished "as promptly as possible" (§ 132-6(a)). Because some responsive data (camera integrations, flight logs, access logs) may be subject to automated retention or purge, I also ask that the City **preserve all responsive records** pending its response; destroying public records outside an approved retention schedule is independently unlawful under § 132-3.

Accordingly, by **Friday, September 5, 2026,** I ask that the City either **(a) produce the responsive records** on a rolling basis, **(b) certify, after a diligent search, that no responsive record exists** as to a given item, or **(c) state the specific statutory basis for anything withheld.**

And if the City would prefer to work through any concern before anyone files anything: **will the City agree to voluntary pre-litigation mediation of these two public-records disputes under N.C. Gen. Stat. § 7A-38.3E?** I would genuinely rather sit down with the City Attorney's office and resolve the scope and format than litigate. Please let me know in writing, by September 5, whether the City will (1) produce, or (2) agree to mediation.

If the answer to both is no, the remaining recourse is an action to compel production under § 132-9, in which costs and reasonable attorneys' fees are available under § 132-9(c). I would much prefer the mediation table.

Thank you for your attention to this.

Respectfully,

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From: Mark Williams <mwilliams@ricefamilylaw.com>
Date: Thursday, August 20, 2026 at 12:05 PM
To: Penny Spicer-Sidbury <Penny.Spicer-Sidbury@wilmingtonnc.gov>
Cc: Meredith Everhart <Meredith.Everhart@wilmingtonnc.gov>; Penny Spicer-Sidbury <Penny.Spicer-Sidbury@wilmingtonnc.gov>; Daniel J. Thurston <Daniel.Thurston@wilmingtonnc.gov>; Ryan Zuidema <Ryan.Zuidema@wilmingtonnc.gov>; Ronald Evans <Ronald.Evans@wilmingtonnc.gov>
Subject: Re: Public Records Request — Wilmington Police Department Unmanned Aircraft System (Drone) Program - 2026-602 MARK WILLIAMS (RICE FAMILY LAW)

Dear Ms. Spicer-Sidbury,
Thank you for your notes of August 6 on **both** of my requests — the Wilmington Police Department's Fusus/Axon "STING Center" (#2026-553, filed July 1) and its unmanned aircraft system/drone program (#2026-602, filed July 3). In each you said you had copied WPD and would ask for a status, and would let me know once you heard back. I appreciate that. Two weeks have passed, and the August 14 date I'd asked about has come and gone, so I'm writing to check in on where things stand.
Could you let me know WPD's status on both? To keep this simple, for each request I'd welcome any one of the following by **Friday, August 29, 2026**: (a) the responsive records, on a rolling basis as they're gathered; (b) a brief written statement for any item where no responsive record exists — which, as both requests noted, fully satisfies that item; or (c) a firm completion date. N.C. Gen. Stat. § 132-6(a) asks that records be furnished "as promptly as possible," and both requests seek foundational, procurement, policy, and communications records that exist independent of whether either system is operational.
I remain glad to confer to clarify or reasonably narrow any item, and to take a quick call if that's faster. Thank you again for your help moving these along.
Respectfully,
~Mark

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From: Penny Spicer-Sidbury <Penny.Spicer-Sidbury@wilmingtonnc.gov>
Date: Thursday, August 6, 2026 at 10:02 AM
To: Mark Williams <mwilliams@ricefamilylaw.com>
Cc: Meredith Everhart <Meredith.Everhart@wilmingtonnc.gov>; Penny Spicer-Sidbury <Penny.Spicer-Sidbury@wilmingtonnc.gov>; Daniel J. Thurston <Daniel.Thurston@wilmingtonnc.gov>; Ryan Zuidema <Ryan.Zuidema@wilmingtonnc.gov>; Ronald Evans <Ronald.Evans@wilmingtonnc.gov>
Subject: RE: Public Records Request — Wilmington Police Department Unmanned Aircraft System (Drone) Program - 2026-602 MARK WILLIAMS (RICE FAMILY LAW)

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Mr. Williams

Thanks for your follow-up.

I have copied WPD on this email and will ask them for a status/update. Once I receive a response, we will let you know.

Penny Spicer-Sidbury
City Clerk

From: Mark Williams <mwilliams@ricefamilylaw.com>
Sent: Wednesday, August 5, 2026 1:31 PM
To: Penny Spicer-Sidbury <Penny.Spicer-Sidbury@wilmingtonnc.gov>
Cc: Meredith Everhart <Meredith.Everhart@wilmingtonnc.gov>
Subject: Re: Public Records Request — Wilmington Police Department Unmanned Aircraft System (Drone) Program

Ms. Spicer-Sidbury,
I'm following up on my public-records request of July 3, 2026, concerning the Wilmington Police Department's unmanned aircraft system (UAS / drone) program, submitted on behalf of DeFlockILM under N.C. Gen. Stat. § 132-1 et seq. More than five weeks have now passed without an acknowledgment, a production, or an estimated timeframe. Most agencies have responded in less than 20 days.
N.C. Gen. Stat. § 132-6(a) requires public records to be furnished "as promptly as possible," and I'd be glad to make this easier: the request seeks the program's foundational records — policies and SOPs, the drone inventory, funding and procurement (including the referenced state grant), the retention schedule, any "Drone as First Responder" plans, FAA authorizations, data-sharing agreements, and oversight/audit records — and, as written, any item for which no responsive record exists is fully satisfied by a brief written statement to that effect. I'm also glad to take production on a rolling basis and to confer to clarify or reasonably narrow any item.
Accordingly, I ask that by **Friday, August 14, 2026** the City provide one of the following: (a) the responsive records; (b) per-item written statements

where no records exist; or (c) a firm completion date. I've copied the City Attorney so the request is properly routed, and I remain glad to speak by phone if that's quicker.
Thank you for your attention to this.
Respectfully,
Mark Spencer Williams

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From: Mark Williams <mwilliams@ricefamilylaw.com>
Date: Friday, July 3, 2026 at 6:29 AM
To: penny.spicer-sidbury@wilmingtonnc.gov <penny.spicer-sidbury@wilmingtonnc.gov>
Subject: Public Records Request — Wilmington Police Department Unmanned Aircraft System (Drone) Program

This letter is a request under the North Carolina Public Records Law, **N.C. Gen. Stat. § 132-1** et seq., for records in the possession, custody, or control of the City of Wilmington and the Wilmington Police Department (the "Department") concerning the Department's unmanned aircraft system (UAS or "drone") program. This request is submitted on behalf of DeFlockILM, a citizen group documenting surveillance technology in New Hanover County.

Specifically, I request copies of the following records for the period **January 1, 2021 to the present**, unless otherwise noted:

1. All current and prior policies, standard operating procedures, directives, general orders, or training manuals governing the Department's use of unmanned aircraft systems (UAS or "drones"), including any provisions addressing authorized uses, deployment, privacy, and data handling.
2. A current inventory of all UAS and related equipment owned, leased, or operated by the Department, including make, model, quantity, serial or asset identifiers, and dates of acquisition.
3. All records reflecting the funding and procurement of the UAS program, including purchase orders, contracts, invoices, and grant applications and awards, including any documentation of the "state support and funding" referenced in the Department's public announcements.
4. All policies, schedules, and records governing the retention, storage, and deletion of imagery, video, telemetry, or other data captured by UAS, including the identity of any vendor or cloud platform used to store such data.
5. Deployment or flight records for UAS from January 1, 2024 to the present, including, to the extent maintained, the date, time, general location or area, purpose or call type, and operator for each flight or deployment.

6. All records concerning any current or proposed "Drone as First Responder" (DFR) program, including planning documents, proposals, presentations, memoranda, vendor communications, and any agreements or memoranda of understanding.
7. All agreements or records governing the sharing of UAS-captured data with any other agency (local, state, federal, or private), and any integration of UAS data with the STING Center, the Fusus or Axon platforms, evidence.com, or any real-time crime center.
8. All records establishing oversight of the UAS program, including audit procedures, audit results or reports, access-control policies, and records identifying who may access UAS data and for what purposes.
9. All Federal Aviation Administration authorizations relevant to the program, including any Certificate of Authorization (COA), Part 107 waivers, and Remote ID compliance records; and all UAS operator training materials and curricula.
10. Any privacy impact assessment, legal review, community-engagement materials, or public notices concerning the UAS program.

Form and fees. Please provide responsive records in electronic form (searchable PDF or native format where available), consistent with N.C. Gen. Stat. § 132-6.2. If you anticipate that any fee for special or extensive information-technology services will exceed $50.00, please contact me for authorization before incurring the cost.

Exemptions. If you contend that any responsive record, or portion of a record, is exempt from disclosure, please produce all reasonably segregable non-exempt portions and identify the specific statutory basis for each withholding or redaction, so that any claim of exemption can be evaluated.

Timing. N.C. Gen. Stat. § 132-6 requires that public records be made available for inspection and copying "as promptly as possible." I would appreciate your acknowledgment of this request and an estimated timeframe for production. I am glad to confer to clarify or reasonably narrow any item, and I can be reached at the contact information above.

Thank you for your attention to this request.

Sincerely,

~Mark

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